

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 8, 1998 LB 309
 LR 480

With that, Mr. Speaker, I would recommend the approval of this resolution.

SPEAKER KRISTENSEN: Debate on Resolution 480. Senator Coordsen, you're recognized to close. He waives closing. The question before the body is the passage of Legislative Resolution 480. All those in favor vote aye; all those opposed vote nay. Please record.

CLERK: 31 ayes, 0 nays, Mr. President, on the adoption of Legislative Resolution 480.

SPEAKER KRISTENSEN: Legislative Resolution 480 passes. We'll next move to Final Reading, LB 309. Mr. Clerk.

CLERK: Mr. President, 309 on Final Reading. Senator Bromm would move to return the bill for specific amendment. (AM4334 is found on page 1647 of the Legislative Journal.)

SPEAKER KRISTENSEN: Senator Bromm, you're recognized to open.

SENATOR BROMM: Thank you, Mr. Speaker. I would like to ask indulgence of the body to return 309 for the purpose of changing one word in the final draft and Final Reading copy. It is a word which is a rather harmless word sitting off by itself, the word "hearing", h-e-a-r-i-n-g, but when inserted in the wrong spot in the ALR proceedings it can create some confusion and certainly probably result in some unintended litigation in the ALR proceedings in the future. If a per...it's on page 51 of the...of the...of the bill and, as we looked at the section, the word "hearing" was inserted in front of "officer" as this section was drafted, and I can see how it could happen. If a person read that section in isolation you would think that it was referring to the hearing officer's sworn report, but in fact instead of it being the hearing officer's sworn report it's the arresting police officer's sworn report, so if you leave the word "hearing" in there, the hearing officer is...is receiving basically his own report and so "hearing" needs to say "arresting peace officer". Further up in that section of the bill we deal with...we distinguish the peace officer by saying "peace officer" and the hearing officer by saying "hearing officer". I...I just ask the body to return the bill for